

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

GEORGE E. LEVELS,

Plaintiff,

LIBERTY MUTUAL,

Plaintiff-Intervenor,

v.

**CANNONBALL EXPRESS, INC., d/b/a
CANNONBALL EXPRESS
TRANSPORTATION et al.,**

Defendants.

No. 05-CV-914-DRH

ORDER

HERNDON, District Judge:

Now before the Court is Defendants' Motion to Dismiss for Failure to Comply with Court Order. (Doc. 18.) On July 31, 2006, Plaintiff requested additional time to obtain counsel. (Doc. 16.) The Court construed this request as a timely motion for an extension of time to obtain counsel (Doc. 16) and granted Plaintiff's motion (Doc. 20). Plaintiff has until October 20, 2006 to advise the Court whether he has obtained counsel or intends to proceed without counsel. If Plaintiff

fails to inform the Court of his intentions by that time, the Court will dismiss Plaintiff's action for failure to prosecute. Therefore, the Court **DENIES** Defendant's motion at this time.

IT IS SO ORDERED.

Signed this 20th day of September, 2006.

/s/ David RHerndon
United States District Judge